



85696KNM
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William H. Simpson, et al

A PROCESS OF TRANSFERRING
TRANSFERABLE PROTECTION
OVERCOAT TO A DYE-DONOR
ELEMENT

Serial No. 10/669,932

Filed 24 September 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 1752

Examiner: Richard L. Schilling

I hereby certify that this correspondence is being
deposited today with the United States Postal
Service as first class mail in an envelope addressed
to Commissioner For Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

Carol A. Kukurudza
Carol A. Kukurudza
January 19, 2005
Date

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

01/24/2005 ZJUHA1 00000063 050225 10669932

01 FC:1814 130.00 DA

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application No. 10/100,333. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant on the second application, in the event that any patent granted on the second application: expires for failure to pay

Void date: 01/24/2005 ZJUHA1
01/24/2005 ZJUHA1 00000027 050225 10669932
01 FC:1814 130.00 CR

01/24/2005 ZJUHA1 00000027 050225 10669932
01 FC:1814 130.00 DA

a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

☒ The undersigned is an attorney of record. (If this box is not checked do not use this form)

1-18-05
Date
Telephone: 585-722-9225
Facsimile: 585-477-1148
/cak

Kathleen Neuner Manne
Kathleen Neuner Manne
Attorney of Record
Registration No. 40,101

☒ Please charge the fee to Eastman Kodak Company Deposit
Account 05-0225. (A duplicate copy of this request is enclosed)

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.